



CITY OF SOUTH FULTON
PLANNING COMMISSION
REGULAR MEETING

TUESDAY, November 19, 2019 at 6:30 P.M.

Present: Chair Harold Reid, Vice Chair Alvin Reynolds, Shatekwa Floyd, Pamela Harvey, Janai Walters
Absent: Jeannine Brown, Rodney Hadley, Winston Cook

Meeting Called to Order: Chair Harold Reid calls the meeting to order at 6:31 pm following the roll call by Dana Gray.

1. APPROVAL OF MINUTES FROM SEPTEMBER 17, 2019 MEETING

Due to a malfunction with the recorder at the September 17, 2019 meeting, the minutes were transcribed based on handwritten notes taken at the meeting. Though all of the motions and votes were captured, members expressed concern that the minutes did not adequately capture all relevant points of the discussion. Staff has taken steps to remedy this concern in the future, including acquiring a second recorder.

Planning Commissioner Alvin Reynolds made a motion to deny the minutes as written and **Planning Commissioner Janai Walters** seconded. **The motion passed unanimously.**

2. NEW BUSINESS

a. **Z19-005 – 3560 Jonesboro Road**

Planner Dana Gray introduced the applicant's intent to rezone from AG-1 to C-2 for an automobile dealership and commercial retail and restaurant uses. The subject property is located in District 7. Staff recommends approval with the conditions identified in the staff report.

Robert Kelly presented the application on behalf of the owner. He indicated that he had been working with the owner to identify the best use of his property. The proposed use would expand the commercial tax base within the city and provide restaurants and other amenities that he feels the city currently lacks. He identified that the community had expressed concerns about not having a stoplight shown on the plans, but he clarified that he has been in communication with GDOT about whether that would be a possibility because it is located on a State Road. He has also been in communication with the Fire Marshal.

Planning Commissioner Alvin Reynolds made a motion to open public comment and **Planning Commissioner Janai Walters** seconded. **The motion passed unanimously.**

Residents spoke in favor of the application and cited the need for these uses in the community. Residents also spoke in opposition to the application and city concerns about the automobile dealership bringing ancillary uses, such as gas stations, that would be undesirable in the area. Concerns were also expressed as to whether the automobile dealership would be a deterrent to some of the other uses that were proposed, such as the sit-down, family-style restaurants.

Planning Commissioner Janai Walters made a motion to close public comment and **Planning Commissioner Shatekwa Floyd** seconded. **The motion passed unanimously.**

Discussion included questions about the impact on the daycare next door and feedback from the public engagement process. The applicant indicated that the utility substation adjacent to the property made it difficult to plan for certain types of uses. The daycare owner had expressed support for the applicant, and a majority of residents at the community meetings indicated they were in favor of the proposed uses. There is no firm commitment from any potential tenants, but the applicant indicated he had favorable interest from enterprises such as Volvo, Applebees, Longhorn, O'Charleys, Michaels and Hobby Lobby.

Additional questions from the Commission addressed the dimensional requirements of the proposed buildings, the gross acreage of the lot, and traffic and environmental impact. The applicant identified that a traffic study was not required for a project of this size and referred to the site plan for the square footage of the individual buildings. The application also referenced the required Environmental Impact Assessment included in the application.

The Board inquired whether this would be considered spot zoning and noted that staff recommended a potential Future Land Use Map amendment. Concerns were also expressed about what potential uses could come to the area if the proposed uses failed. Staff clarified that this would not be spot zoning due to the presence of commercial zoning across the street. The conditions proposed in the staff report are designed to mitigate undesirable impacts to the adjacent community.

Planning Commissioner Pamela Harvey made a motion to deny the rezoning request. **Planning Commissioner Alvin Reynolds** seconded. **The vote was 2 ayes to approve the motion (Commissioner Harvey and Commissioner Reynolds) and 2 nays to approve the motion (Commissioner Walters and Commissioner Floyd). Chair Reid broke the tie with 1 nay to approve the motion. The motion is denied by a vote of 3-2.**

Planning Commissioner Shatekwa Floyd made a motion to approve the rezoning request with staff conditions, including the 15' landscape strip required in the overlay district per condition #6 in the staff report. **This motion died for lack of a Second.**

Planning Commissioner Shatekwa Floyd made a motion to approve the rezoning request with staff conditions, including the 15' landscape strip required in the Overlay District per condition #6 in the staff report, and revision to condition #1 to exclude discount stores similar to the Dollar Store and to exclude liquor stores. **Planning Commissioner Janai Walters** seconded the motion. **The vote was 2 ayes for approval of the motion (Commissioner Floyd and Commissioner Walters) and 2 nays to approve the motion (Commissioner Harvey and Commissioner Reynolds). Chair Reid broke the tie with 1 aye to approve the motion. The motion is approved by a vote of 3-2.** The conditions in the staff report include:

1. Accepting the C-2 with the following excluded uses: personal care services, gas stations, garage automotive repair, automobile specialty shop, automotive parking lots, parking garages/deck, pawn shops, laundry mats, car wash, motels, check cashing, group residences, personal care homes, *and discount stores similar to the Dollar Store, and liquor stores* [emphasis added per approved motion].
2. The owner shall abide by the site plan received by the Department of Community Development and Regulatory Affairs on August 28, 2019. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Resolution and these conditions prior to the approval of a Land Disturbance Permit. In the event the Recommended Conditions of Zoning cause the approved site plan to be substantially different, the applicant shall be required to seek a Modification to the approved site plan prior to application for a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.

3. Prior to issuance of Land Disturbance Permit, applicant shall provide study, subject to review, that establishes the 100-year water surface elevation within the drainage course at the north end of site. Land disturbance shall not encroach into areas where the ground surface is at or below the 100-year water surface elevation.
4. Prior to issuance of Land Disturbance Permit, applicant shall arrange site visit with City Engineer or designee to assess presence and extents of any stream buffers within the site. Development shall comply with the City of South Fulton Unified Stream Buffer Protection Ordinance.
5. Prior to issuance of Land Disturbance Permit, applicant shall provide a report, prepared by an ISA certified Arborist, evaluating all specimen trees within the site. Development shall comply with the City of South Fulton Tree Preservation Ordinance and Administrative Guidelines.
6. Submitted site plan shows 10-foot Landscape Strip along Jonesboro Rd. Old National Overlay District Standards require a 15 feet Landscape Strip along Jonesboro Rd. *The property shall adhere to the 15' landscape strip requirement* [emphasis added per approved motion].
7. Sidewalks shall be constructed along the frontage of the development to aid pedestrian access and safety.

b. Z19-006 – Property at West Stubbs Road and Cascade Palmetto Highway

Planner Dana Gray introduced the applicant's intent to rezone from AG-1 to CUP. The proposed site is currently a vacant, wooded site, and the applicant's intent is to build 62 homes. The property is located in District 2. Adjacent zoning is primarily AG-1 and CUP. Staff recommends approval with conditions identified in the staff report.

Jordan Edwards presented the application on behalf of the applicant. He indicated that they are amenable to the majority of staff conditions. He expressed concerns about condition #9 and condition #3 and clarified that the proposed density had been revised to 1.62 units per acre from 1.59 units per acre.

Condition #9 referenced a 10' side setback. The site plan had proposed a 5' side setback. Mr. Edwards recognized that the community wanted a larger setback and he proposed a compromise at 7.5' side setback.

Condition #3 referenced a requirement to stagger the front setback of dwelling facades by a 5' variation. Mr. Edwards indicated that the requirement to stagger the facades would be difficult with the 25' setback the applicant was proposing to accommodate feedback from the community. The community had expressed a desire for larger front setbacks to accommodate vehicles that may be parked in driveways. Mr. Edwards proposed that the condition require a 25' front setback and no requirement to stagger front building facades. The 25' front setback is greater than the 20' front setback identified in the staff report.

Mr. Edwards identified that they planned to add a gazebo and recreation area with basketball court that had been identified as desirable amenities at the community meeting.

Planning Commissioner Alvin Reynolds made a motion to open public comment and **Planning Commissioner Pamela Harvey** seconded. **The motion passed unanimously.**

Residents spoke in favor of the rezoning request and cited a desire to see the requirements of the Cliftondale Overlay District to be addressed. There was also favorable comment for the revised site plan that had presented at a community meeting.

Residents spoke in opposition to the rezoning request and cited concerns about the proximity of some of the houses to adjacent neighborhoods; the lack of amenities in the proposed neighborhood; and the lack of sidewalks and increased impact to traffic.

Questions were raised about the proposed price point of the houses and concerns were cited about an increase in the number of developments that may lower the overall house value in the area. The applicant identified their intent to have the homes priced between \$300,000 and \$400,000.

Planning Commissioner Janai Walters made a motion to close public comment and **Planning Commissioner Pamela Harvey** seconded. **The motion passed unanimously.**

Discussion included questions about the revised site plan that had been presented at the community meeting. Specifically, Commissioners were interested to know more about the proposed amenities. Staff clarified that the revised site plan was presented after the application deadlines had passed. It is not a consideration at the meeting because city staff has not had a chance to review any proposed changes for compliance with city codes. The Commission may move forward with what has been presented or the applicant may defer to the December 17, 2019 regular meeting.

The applicant indicated that they were amenable to a deferral.

Planning Commissioner Alvin Reynolds made a motion to defer this application to the December 17, 2019 regular meeting and **Planning Commissioner Pamela Harvey** seconded. **The motion passed unanimously.**

c. Discussion of the Zoning Ordinance Amendment

Consultants Lee Walton of Wood and Inga Kennedy of PEQ presented an update on the revisions to the City's Zoning Ordinance. They are finishing up the public input, finalizing the technical analysis and preparing a summary technical report. They are aiming to present the draft for adoption around March 2020.

Discussion from the Commission identified the following concerns:

1. Mix of zoning and land uses along Roosevelt Highway
2. The need to better define gateways into the community
3. Concerns about incongruous land uses and activity that are contrary to adopted codes and laws of the City of South Fulton
4. More efficient ways to share information on zoning related items with the community
5. Overlay guidelines that will unify the look of the city as a whole rather than making the city look like it is broken into separate areas
6. Outdated language and provisions in the existing Code
7. Environmental considerations, including tree protection
8. Different types of housing and other land uses that will accommodate the changing preferences of different generations

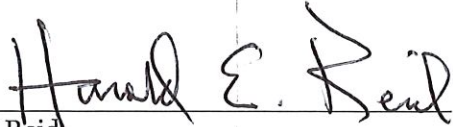
The consultants will provide a list of questions to Commission members and the discussion of these items will be continued at the December 17, 2019 Regular Meeting. They are also preparing a presentation that will be given to Mayor and Council at their January Work Session.

3. OLD BUSINESS

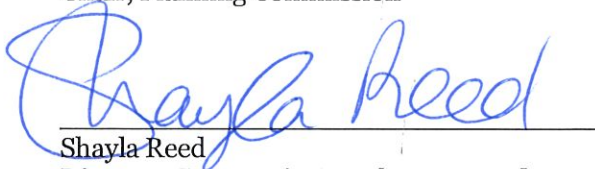
There were no items under Old Business.

ADJOURNMENT

Planning Commissioner Alvin Reynolds made a motion to adjourn and **Planning Commissioner Janai Walters** seconded. **The motion passed unanimously.**



Harold Reid
Chair, Planning Commission



Shayla Reed
Director, Community Development and Regulatory Affairs